

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

WILLIAM BILLY GENE CARTER,	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 4:10-CV-01914 NAB
	)	
ALAN BLAKE,	)	
	)	
Respondent.	)	

**ORDER**

Presently before the Court is a motion to rescind a plea entered in state court filed by William Billy Gene Carter (“Carter”).

The federal district court lacks jurisdiction to compel the state court to allow a defendant to withdraw a plea entered in state court. *See Fisher v. Clayton*, 168 Fed.Appx. 620, 621 (5th Cir. 2006) (citing *Moye v. Clerk, DeKalb Cnty. Superior Court*, 474 F.2d 1275, 1275-76 (5th Cir.1973); *Santee v. Quinlan*, 115 F.3d 355, 356 (5th Cir.1997)). Therefore, this Court does not have jurisdiction to entertain Carter’s motion.

**ACCORDINGLY,**

**IT IS HEREBY ORDERED** that Carter’s motion to rescind his plea entered in state court is **DENIED**.

Dated this 11th day of July, 2011.

/s/ Nannette A. Baker  
NANNETTE A. BAKER  
UNITED STATES MAGISTRATE JUDGE